

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

PACIFIC BELL TELEPHONE
COMPANY,

Plaintiff,

v.

MARINE TAXONOMIC SERVICES,
LTD,

Defendant.

Case No.: 23-cv-1747-DMS-KSC

ORDER:

- (1) DENYING PACIFIC BELL
TELEPHONE’S MOTION TO
COMPEL COMPLIANCE
WITH SUBPOENA;**
- (2) REQUIRING COMPLIANCE
WITH CHAMBERS RULES;
AND**
- (3) SETTING BRIEFING
SCHEDULE FOR MOTION
TO ENFORCE SUBPOENA**

[DKT. NO. 1]

Before the Court is Pacific Bell Telephone Company’s (“Pacific Bell”) Motion to Compel Compliance with Subpoena (“Motion”). Dkt. No. 1. On or before **October 13, 2023**, counsel must meet and confer, by video conference or in person,¹ regarding (1) all

¹ Under no circumstances may counsel satisfy the “meet and confer” obligation by written correspondence alone. Counsel must thoroughly meet and confer and must make every effort to resolve all disputes without the necessity of further court intervention.

1 disputed issues raised in the Motion filed by Pacific Bell, and (2) whether Pacific Bell's
2 Motion should be transferred to the U.S. District Court Eastern District of California. *See*
3 Fed. R. Civ. P. 45(f).


4 If Pacific Bell and third-party Marine Taxonomic Services, Ltd. (MTS) do not
5 resolve their dispute through the meet and confer process, counsel must file a "Joint Motion
6 for Determination of Discovery Dispute" ("Joint Motion"). The Joint Motion is to include:
7 (1) a declaration of compliance with the meet and confer requirement; (2) a statement by
8 MTS regarding whether it consents to the transfer of Pacific Bell's Motion to the issuing
9 court; (3) points and authorities (not to exceed 10 pages per side) in which each side
10 succinctly addresses all issues that remain in dispute at the conclusion of meet and confer
11 efforts; and (4) the subpoena, which Pacific Bell did not file with its Motion.

12 The Joint Motion will supersede Pacific Bell's Motion and should set forth in full
13 both sides' positions as to all disputed issues. This filing will be the only briefing the Court
14 will consider, and counsel are directed to review Judge Crawford's Chambers' Rules for
15 joint motion practice. Any exhibits accompanying the Joint Motion must also be filed;
16 however, counsel may not attach copies of any meet and confer correspondence to the Joint
17 Motion. Unless the Court directs otherwise, this matter will be resolved without oral
18 argument.

19 Accordingly, the Court DENIES without prejudice Pacific Bell's Motion. Dkt. No.
20 2. Pacific Bell's counsel must serve a copy of this Order on MTS and all parties to the
21 underlying Eastern District of California case and file the proof of service on or before
22 **September 29, 2023.**

23 **IT IS SO ORDERED.**

24 Dated: September 21, 2023

25 
26 Hon. Karen S. Crawford
27 United States Magistrate Judge
28